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4 IN THE UNITED STATES DISTRICT COURT  
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
6 SAN FRANCISCO DIVISION

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 STEPHEN CLYNE,

11 Defendant.

Case No.: CR 92-616 FMS

**JOINT STIPULATION AND  
[PROPOSED] ORDER TAKING  
JUDICIAL NOTICE OF ALLEGED  
SUPERVISED RELEASE VIOLATION  
AND TERMINATING SUPERVISED  
RELEASE**

12  
13 **Court:** Courtroom 7, 19th Floor

14  
15 Defendant Stephen Clyne's case was heard by Judge Fern Smith in 1992. In February  
16 2003, Judge Chesney, at the request of probation, issued a no-bail warrant for Mr. Clyne for an  
17 alleged violation of his conditions of supervised release. The parties now jointly request that  
18 the Court take judicial notice of Mr. Clyne's alleged violation and terminate his supervised  
19 release.

20 In support of the proposed order, the parties stipulate to the following facts:

- 21 1. On June 4, 1993, Mr. Clyne was sentenced to 115 months of custody and 36 months of  
22 supervised release for eight counts of unarmed bank robbery under 18 USC § 2113(a).  
23 2. Mr. Clyne's supervised release began on April 5, 2001, and was set to expire on April 4,  
24 2004.  
25 3. On November 25, 2002, the Probation Office filed a Form 12 with this Court, alleging  
26 that Mr. Clyne had violated the terms of his supervised release by committing a new  
27 state offense—namely, a violation of California Penal Code § 211 (robbery) in Alameda  
28 County.

- 1 4. Judge Chesney issued a federal warrant on February 7, 2003.
- 2 5. On July 3, 2003, Mr. Clyne was sentenced to 21 years of state prison by the Alameda
- 3 County Superior Court.
- 4 6. Mr. Clyne is currently serving his sentence at the California Institution for Men, in
- 5 Chino, California. His earliest parole eligible date is March 2021.

6 The parties in this case have conferred and agree that, due to the lengthy prison sentence

7 Mr. Clyne is currently serving, the Court need not take any additional action in response to the

8 2002 Form 12. The parties also agree that Mr. Clyne will be adequately supervised by the State

9 of California after he is released from state prison, making federal supervision duplicative and

10 unnecessary.

11 For the foregoing reasons, the parties jointly request that the court take judicial notice of

12 the violation alleged in the 2002 Form 12 and then terminate Mr. Clyne's supervised release.

13 Probation Officer Jennifer James supports this resolution.

14 IT IS SO STIPULATED.

15 November 14, 2018

16 Dated

ALEX TSE  
United States Attorney  
Northern District of California

18 /S

19 ROBIN HARRIS  
Assistant United States Attorney

20

21 November 14, 2018

22 Dated

STEVEN G. KALAR  
Federal Public Defender  
Northern District of California


23 /S

24 KORY DECLARK  
Assistant Federal Public Defender

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26 IT IS SO ORDERED.

27 Date November 16, 2018

28   
HON. MAXINE M. CHESNEY  
United States District Judge